

DOCKET NO.: TJU-2389

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Waldman, S.A., et al.

Confirmation No.: 2091

Application No.: 09/819,252

Group Art Unit: 1642

Filing Date: March 27, 2001

Examiner: Yu, Misook

For: COMPOSITIONS AND METHODS FOR IDENTIFYING AND TARGETING  
CANCER CELLS OF ALIMENTARY CANAL ORIGIN

EXPRESS MAIL LABEL NO: EV 160977119 US  
DATE OF DEPOSIT: May 2, 2003

EV160977119US

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COPY

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed November 4, 2002 finally rejecting claims 29 and 31 of the above-identified patent application.

The item(s) checked below are appropriate:

## 1. STATUS OF APPLICANT

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
  - ☐ a Small Business Concern
  - ☐ a Nonprofit Organization

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## 2. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 § CFR 1.17(a)(1)-(4)) for the total number of months checked below:

|   | SMALL ENTITY |            | NOT SMALL ENTITY |       |
|---|--------------|------------|------------------|-------|
|   | RATE         | FEE        | RATE             | FEE   |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME                    | \$55         | \$         | \$110            | \$    |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME                    | \$205        | \$         | \$410            | \$    |
| <input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME       | \$465        | \$465.00   | \$930            | \$    |
| <input type="checkbox"/> FOUR MONTH EXTENSION OF TIME                   | \$725        | \$         | \$1450           | \$    |
| <input type="checkbox"/> FIVE MONTH EXTENSION OF TIME                   | \$985        | \$         | \$1970           | \$    |
| <input checked="" type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID | minus        | (\$205.00) | minus            | (\$ ) |
| <input checked="" type="checkbox"/> NOTICE OF APPEAL                    | \$160        | \$160.00   | \$320            | \$    |
| TOTAL FEE DUE   |              | \$420.00   |                  | \$0   |

## 3. FEE PAYMENT

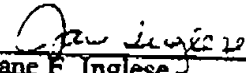
- ☒ A check in the amount of \$420.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$        .00. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

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**PATENT**

Date: May 2, 2003

  
Jane E. Inglese  
Registration No. 48,444

Woodcock Washburn LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

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PATENT AND TRADEMARK OFFICE****Paper:**

Notice of Appeal From The Primary Examiner To The  
Board Of Appeals with Petition for Three-Month  
Extension of Time in duplicate with Express Mail Sticker;  
check in the amount of \$420.00 for Three-Month  
Extension of Time and Notice of Appeal Fees; return  
postcard all sent via Express Mail Label No. EV  
160977119 US

**Applicant(s):**

Waldman, S.A., et al.

**Title:**Compositions And Methods For Identifying And Targeting  
Cancer Cells Of Alimentary Canal Origin**Application No:**

09/819,257

**Filed:**

March 27, 2001

**Discl. No.:**

TJU-2389

**Date Sent:**

May 2, 2003

**Sent By:**

JEINGLESE/mduiden

